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BEFORE THE ARIZONA CORPORATION COMMISSION

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MARC SPITZER

Chairman

AZ CORP COMMISSION

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Commissioner

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Commissioner

MIKE GLEASON

Commissioner

KRISTIN K. MAYES

Commissioner

Arizona Corporation Commission

DOCKETED

NOV - 4 2004

DOCKETED BY

CMC

IN THE MATTER OF QWEST
CORPORATION'S PERFORMANCE
ASSURANCE PLAN

DOCKET NO. T-01051B-03-0859

MOTION AND CONSENT OF LOCAL COUNSEL
FOR PRO HAC VICE ADMISSION OF LAUREL L. BURKE

The undersigned counsel, pursuant to Rule 33(c) and (d), Rules of the Supreme Court, hereby applies to admit Laurel L. Burke as counsel *pro hac vice* in this docket. Pursuant to Rule 33(d)(3)(c) Rules of the Supreme Court, the following exhibits are attached hereto:

1. The original verified application;
2. The original Certificate(s) of Good Standing; and
3. The State Bar of Arizona Notice of Receipt.

The filing fee required by Rule 33(d) has been submitted to the State Bar of Arizona. Norman G. Curtright hereby agrees to serve as designated local counsel for the subject docket. A proposed Order admitting Laurel L. Burke accompanies this motion.

1 RESPECTFULLY SUBMITTED this 4th day of November, 2004.

2
3 By: 
4 Norman G. Curtright, Esq.
5 QWEST SERVICES CORPORATION
6 4041 N. Central Avenue, Suite 1100
7 Phoenix, Arizona 85012
8 Telephone: (602) 630-2187
9 Facsimile: (602) 235-3107

10 ATTORNEY FOR QWEST CORPORATION

11
12 ORIGINAL and 13 copies hand-delivered
13 for filing November 4, 2004, to:

14 Docket Control
15 ARIZONA CORPORATION COMMISSION
16 1200 West Washington Street
17 Phoenix, AZ 85007

18 COPIES of the foregoing hand delivered
19 this 4th day of November, 2004 to:

20 Lyn Farmer, Chief Administrative Law Judge
21 Jane Rodda, Administrative Law Judge
22 Hearing Division
23 ARIZONA CORPORATION COMMISSION
24 1200 W. Washington Street
25 Phoenix, AZ 85007

26 Ernest Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
Phoenix, AZ 85007

1 Maureen Scott, Esq.
Legal Division
2 ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
3 Phoenix, AZ 85007

4
5 COPY of the foregoing mailed
this 4th day of November, 2004 to:

6 Tim Berg, Esq.
7 Theresa Dwyer, Esq.
Fennemore Craig, P.C.
8 3003 N. Central Avenue, Suite 2600
Phoenix, Arizona 85012-2913

9
10 Eric S. Heath
SPRINT COMMUNICATIONS CO.
11 100 Spear Street, Suite 930
San Francisco, CA 94105

12 Thomas Campbell
13 LEWIS & ROCA
40 N. Central Avenue
14 Phoenix, AZ 85004

15 Joan S. Burke
OSBORN MALEDON, P.A.
16 2929 N. Central Ave., 21st Floor
PO Box 36379
17 Phoenix, AZ 85067-6379

18 Thomas F. Dixon
19 WORLDCOM, INC.
707 N. 17th Street #3900
20 Denver, CO 80202

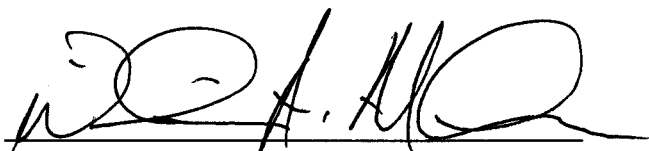
21 Scott S. Wakefield
RUCO
22 1110 West Washington, Suite 220
Phoenix, AZ 85007

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24 Michael M. Grant
Todd C. Wiley
25 GALLAGHER & KENNEDY
2575 E. Camelback Road
26 Phoenix, AZ 85016-9225

- 1 Michael Patten
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- 2 400 E. Van Buren, Ste. 900
Phoenix, AZ 85004-3906
- 3
- 4 Mark DiNuzio
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20402 North 29th Avenue
Phoenix, AZ 85027-3148
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- 6 Daniel Waggoner
DAVIS, WRIGHT & TREMAINE
2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101
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- 10 Traci Grundon
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1300 S.W. Fifth Avenue
Portland, OR 97201
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- 12 Richard S. Wolters
Maria Arias-Chapleau
AT&T Law Department
1875 Lawrence Street, #1575
Denver, CO 80202
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- 15 Diane Bacon, Legislative Director
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5818 N. 7th St., Ste. 206
Phoenix, AZ 85014-5811
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- 17
- 18 Joyce Hundley
U.S. DEPARTMENT OF JUSTICE
Antitrust Division
1401 H Street N.W. #8000
Washington, DC 20530
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- 21 Andrew O. Isar
TELECOMMUNICATIONS RESELLERS ASSOC.
4312 92nd Avenue, NW
Gig Harbor, WA 98335
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- 23
- 24 Jeff Crockett
SNELL & WILMER
One Arizona Center
Phoenix, AZ 85004-0001
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- 1 Michael Morris
Allegiance Telecom of Arizona, Inc.
2 505 Sansome Street, 20th Floor
San Francisco, CA 94111
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- 4 Richard Sampson
Z-TEL COMMUNICATIONS, INC.
5 601 S. Harbour Island, Ste. 220
Tampa, FL 33602
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- 7 Richard P. Kolb
Vice President of Regulatory Affairs
ONE POINT COMMUNICATIONS
8 Two Conway Park
150 Field Drive, Ste. 300
9 Lake Forest, IL 60045
- 10 Attorney General
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11 1275 West Washington
Phoenix, AZ 85007
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- 13 Steven J. Duffy
RIDGE & ISAACSON, P.C.
14 3101 North Central Ave., Ste. 1090
Phoenix, AZ 85012
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- 16 Karen Clauson
ESCHELON TELECOM
17 730 Second Avenue South, Ste. 1200
Minneapolis, MN 55402
- 18 Curt Huttsell
State Government Affairs
19 Electric Lightwave, Inc.
20 4 Triad Center, Suite 200
Salt Lake City, UT 84180
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- 22 Brian Thomas
Time Warner Telecom, Inc.
223 Taylor Avenue North
23 Seattle, WA 98109
- 24 Mitchell F. Brecher
Greenberg Traurig, LLP
25 800 Connecticut Avenue, NW
26 Washington, DC 20006

1 Kevin Chapman
2 SBC TELECOM, INC.
3 1010 N. St. Mary's, Room 1234
4 San Antonio, TX 78215-2109

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BEFORE THE ARIZONA CORPORATION COMMISSION

MARC SPITZER
Chairman
WILLIAM A. MUNDELL
Commissioner
JEFF HATCH-MILLER
Commissioner
MIKE GLEASON
Commissioner
KRISTIN K. MAYES
Commissioner

IN THE MATTER OF QWEST
CORPORATION'S PERFORMANCE
ASSURANCE PLAN

DOCKET NO. T-01051B-03-0859

ORDER FOR PRO HAC VICE ADMISSION OF LAUREL L. BURKE

Based upon the motion for admission *Pro Hac Vice* of Laurel L. Burke and the consent to appear as local counsel by Norman G. Curtright,

IT IS HEREBY ORDERED that Laurel L. Burke be admitted *Pro Hac Vice* as counsel for Qwest Corporation in Docket No. T-01051B-03-0859 in the above entitled matter.

DATED this ____ day of _____, 2004.

Jane Rodda
Administrative Law Judge

1 COPY of the foregoing mailed
this 4th day of November, 2004 to:
2
3 Norman G. Curtright
CORPORATE COUNSEL
4 Qwest Services Corporation
4041 N. Central Ave., #1100
5 Phoenix, Arizona 85012
6
Tim Berg, Esq.
Theresa Dwyer, Esq.
7 Fennemore Craig, P.C.
3003 N. Central Avenue, Suite 2600
8 Phoenix, Arizona 85012-2913
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App# 1001428
Pro Hac ID # P15.3771

**NONRESIDENT ATTORNEY
PRO HAC VICE APPLICATION**

Name: Laurel L. Burke
Residence Address: 1811 S. Quebec Way #186, Denver, Colorado 80231
Office Address: 1801 California Street, 10th Floor, Denver, Colorado 80202

Telephone: 303-383-6618 Fax: 303-298-8197

Title of cause or case where applicant seeks to appear: Qwest Corporation's Performance Assurance Plan
Docket Number: T-01051B-03-0859
Court, Board, or Administrative Agency: Administrative Agency *Maricopa*
Party on whose behalf applicant seeks to appear: Qwest Communications

Courts to Which Applicant Has Been Admitted:	Date of Admission:	Bar Number:
<u>Colorado</u>	<u>10/21/96</u>	<u>27221</u>
<u>10th Circuit</u>	<u>12/11/96</u>	<u> </u>
<u>U.S. District Court of Colorado</u>	<u>12/16/96</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant ☐ is / ☒ is not (**select one**) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

Jurisdiction(s) Where Discipline Matter Pending:	Nature of Matter Under Investigation:	Name / Address of Disciplinary Authority:
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

Applicant ☐ has / ☒ has not (**select one**) been disciplined by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Rule 33, Arizona Rules of Supreme Court in the following:

Title of Matter:	Docket #:	Court or Agency:	Application Granted? (Y/N)
<u>None</u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

Name of local counsel: Norman Curtright
State Bar of Arizona Number: 022848
Address: Qwest Services Corporation
4041 No. Central Avenue, Suite 1100
Phoenix, AZ 85012

Telephone : 602-630-2187

Fax: 602-235-3107

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>Eschelon Telecom, Inc.</u>	<u>Karen Clauson</u>	<u>730 N. 2nd Avenue S., Suite 1200</u> <u>Minneapolis, MN 55402</u>
<u>MCI WorldCom</u>	<u>Thomas F. Dixon</u>	<u>707 17th Street, Suite 3900</u> <u>Denver, CO 80202</u>
<u>Covad Communications Company</u>	<u>Karen Frame</u>	<u>Government and External Affairs</u> <u>7901 Lowry Blvd.</u> <u>Denver, CO 80230</u>
<u>AT&T</u>	<u>Richard Wolters</u>	<u>1875 Lawrence Street, Suite 1575</u> <u>Denver, CO 80202</u>

See attached list for additional parties and counsel of record

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$369.75.

This case or cause ☐ is / ☒ is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, applicant certifies the following:

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

Verification

STATE OF _____)
County of _____) ss.

I, the Applicant, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 10-1-04

Applicant's signature

SUBSCRIBED AND SWORN TO before me this 10th day of Oct., 2004, by

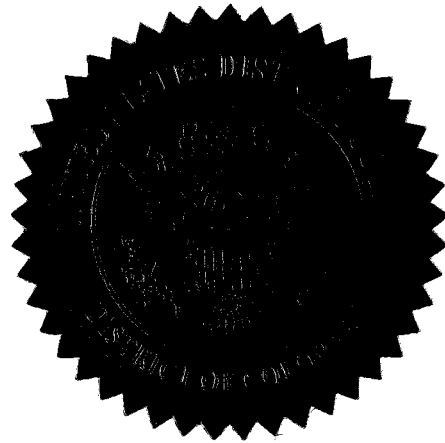
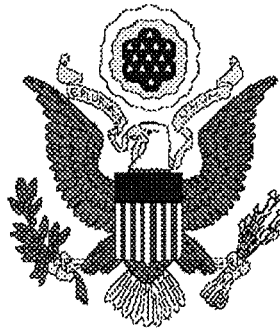
Lawrence L. Burke
Name of Applicant

Barbara Spence
Notary Public

NOTE – As the application requires original signatures of the applicant and notary, this application cannot be filed electronically. Please submit all documents and fees by mail to:

State Bar of Arizona
Pro Hac Vice
111 West Monroe, Suite 1800
Phoenix, AZ 85003

For further information, please contact our Resource Center at 602-340-7239.



Certificate of Good Standing

United States District Court
District of Colorado

I, Gregory C. Langham, Clerk of the United States District Court
DO HEREBY CERTIFY

Laurel L. Burke

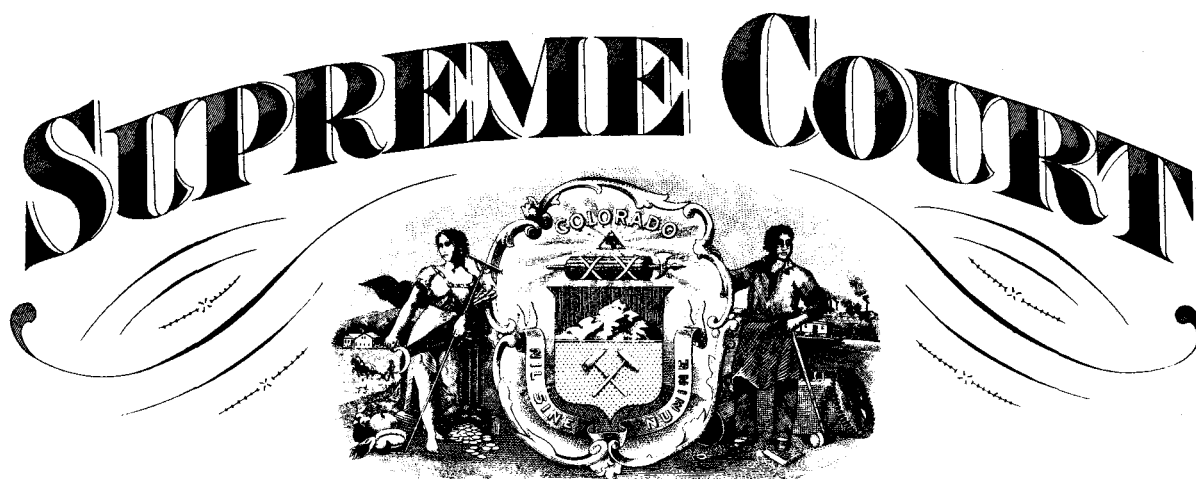
was duly admitted to practice in said court on
12/16/96

and is in good standing as a member of the bar of said court.

Dated: August 30, 2004

Gregory C. Langham, Clerk

By: *K. Balogh*
Deputy Clerk



State of Colorado,

STATE OF COLORADO, ss:

I, Susan J. Festag Clerk of the Supreme Court of the State of Colorado, do hereby certify that

Laurel L. Burke

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

within this State; and that his/her name appears upon the Roll of Attorneys

and Counselors at Law in my office of date the 21st

day of October A. D. 1996 and that at the date hereof

the said Laurel L. Burke

is in good standing at this Bar.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this

26th day of August A. D. 2004

Susan J. Festag

Clerk

By Sharon H. Kandler

Deputy Clerk



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**Superior Court
Maricopa County**

Qwest Corporation Performance Assurance)
Plaintiff,)
v.)
Defendant.)

CASE # T-01051B-03-0859

SBA App # 1001428

**NOTICE OF RECEIPT OF
COMPLETE APPLICATION**

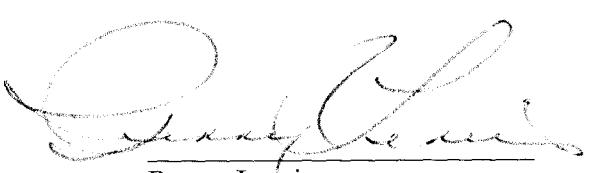
NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has
received the verified application and fee from Laurel L. Burke

In addition to this application, applicant has made the following applications to appear
pro hac vice, pursuant to Rule33 (d), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?	
			<input type="checkbox"/> yes	<input type="checkbox"/> no
			<input type="checkbox"/> yes	<input type="checkbox"/> no
			<input type="checkbox"/> yes	<input type="checkbox"/> no
			<input type="checkbox"/> yes	<input type="checkbox"/> no

Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of
Good Standing are attached hereto.

DATED this 2nd day of November, 2004


Penny Lewis
Resource Center
State Bar of Arizona

Original Mailed on
This 2nd day of November, 2004 to:
Mr. Norman Curtright
4041 N. Central Ave. Suite 1100
Phoenix, AZ 85012